

Chief Judge Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL HERNANDEZ, et al.,

Defendants.

NO. CR19-203RSM

REVISED SCHEDULING ORDER

On February 5, 2021, Defendant Faustino Islas-Estrada filed a motion to continue the trial. Dkt. 451. Four codefendants joined the request, Dkts. 456, 466, 472, and 475, one codefendant objected, Dkt. 461, and the final codefendant remained silent on the issue. On March 1, 2021, the Court granted the motion to continue the trial and reset the trial for October 4, 2021 for all seven remaining defendants. Dkt. 476. Eight days later, on March 9, 2021, the Court issued an amended order continuing the trial to November 29, 2021, Dkt. 486, due to a conflict with a scheduled murder trial for the lead defendant's attorney. Dkts. 454 and 466. The Court's amended order continuing the trial also ordered that the "pretrial motions and other deadlines in the Time Schedule Order be moved accordingly." Dkt. 486 at 2. Thus, the United States now submits this Revised Scheduling Order, which

moves all previously scheduled dates and deadlines in the original Scheduling Order to new dates consistent with original order.¹

The Court, having reviewed the record and files in this case, adopts this revised discovery schedule:

Event	Date
Government to continue to provide discovery under Fed. R. Crim. P. 16(a)(1)(A) – (F) and Local CrR 16(a)(1), including its continuing obligations set forth in Rule 16(c)	Ongoing
Defense to provide reciprocal discovery under Rule 16(b)(1)(A) – (B) and Local CrR 16(a)(2), with continuing obligation per rule 16(c); Defense to provide notices of any defenses alleged under Fed. R. Crim. P. 12.1, 12.2 or 12.3	August 6, 2021
Parties to exchange expert discovery under Rules 16(a)(1)(G) and 16(b)(1)(C)	September 16, 2021
Pretrial motions deadline	September 30, 2021
Government to identify FRE 404(b) evidence, if any	October 29, 2021
Parties to exchange draft transcripts of recorded calls and/or meetings for proposed use at trial.	October 29, 2021
Parties to exchange objections/proposed revisions to transcripts as to form and content.	November 12, 2021
Parties to exchange <i>Jencks</i> Act Fed. R. Crim. P. 26.2 and <i>Giglio</i> impeachment materials, including information covered by Fed. R. Evid. 806 materials <i>except</i> for government cooperating witnesses or confidential source witnesses.	November 12, 2021
Parties to exchange all summary exhibits and underlying data under Fed. R. Evid. 1006; Parties to provide rebuttal expert disclosures	November 15, 2021

¹ For example, if the deadline was 30 days prior to the May 24, 2021 trial date in the original Scheduling Order, the deadline is now reset to 30 days prior to the new trial date of November 29, 2021.

1	Government's Trial Brief, Exhibit List, Witness List and	November 15, 2021
2	Proposed Jury Instructions due (CrR 23.1 and CrR 23.3(a) and	
3	(b), CrR30(a))	
4	Defendants' Trial Brief, Exhibit List, Witness List and	November 19, 2021
5	Proposed Jury Instructions due (CrR 23.1 and CrR 23.3(a) and	
6	(b), CrR 30(a))	
7	Government to produce <i>Jencks</i> Act, Fed. R. Crim. P. 26.2 and	November 19, 2021
8	<i>Giglio</i> impeachment materials, including information covered	
9	by Fed. R. Evid. 806 (if any) for government cooperating	
10	witnesses and/or confidential source witnesses (if any).	
11	All Motions in Limine and Propose Voir Dire due (CrR23.2)	November 19, 2021
12	File proposed trial exhibits (General Order 01-18) and	November 29, 2021,
13	commence Trial	at 9:00 a.m.

14 Modifications to the deadlines set forth in this Order may be made by the Court
15 based on changing circumstances or for other good cause shown.

16 DATED this 25th of March, 2021.

17
18 

19 RICARDO S. MARTINEZ
20 CHIEF UNITED STATES DISTRICT JUDGE

21 Presented by:
22 TESSA M. GORMAN
23 Acting United States Attorney

24 /s C. Andrew Colasurdo
25 C. ANDREW COLASURDO
26 Assistant United States Attorney

27 /s Marci L. Ellsworth
28 MARCI L. ELLSWORTH
Assistant United States Attorney